

AMENDMENTS TO THE DRAWINGS

Please amend the figures as shown in the enclosed replacement sheets. The attached sheet of drawings includes changes to Figure 3 to include labels as requested by the Examiner.

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

Information Disclosure Statement

Applicants thank the Examiner for acknowledging the IDS filed on May 31, 2006.

Disposition of Claims

Claims 1-13 were pending. Claim 2 has been cancelled by this reply without prejudice or disclaimer. With respect to the pending, claims 1, 5, 8 and 9 are independent. The remaining claims depend, directly or indirectly, from claims 1, 5, and 9.

Claim Amendments

Claims 1 and 5 have been amended to include the subject matter of cancelled claim 2 and to clarify the invention. Further, claim 5 has been amended to address grammatical errors noted by the Examiner. Claim 9 has been amended to clarify that the computer program is located on an electronic assembly and that the electronic assembly is configured to execute the computer program. Support for the aforementioned amendments may be found, for example, in paragraph [0020] of the published version of the application. Finally, the preambles of claims 12 and 13 have been amended to be consistent with the preamble of claim 9. No new matter has been added by any of the aforementioned amendments.

Drawing Amendments

Figure 3 has been amended to include the labels requested by the Examiner. No new matter has been added by any of the aforementioned amendments.

Objections to the Drawings

Figure 3 has been amended to address the Examiner's objection. Accordingly, this rejection is now moot.

Objections to the Claims

Claims 5-8 and 10-11 has been objected to for including informalities. Claim 5 has been amended to address the informalities. Accordingly, this rejection is now moot with respect to claim 5 and claims 7-8 and 10-11, which depend therefrom or include subject matter therefrom.

Rejections Under 35 U.S.C. § 101

Claims 1-4 stand rejected under 35 U.S.C. § 101 because the claims lack patentable utility. Claim 2 has been cancelled by this reply and, thus, this rejection is moot with respect to cancel claim 2. Independent claim 1 has been amended to include a step of writing the data to the partition. Accordingly, claim 1 now has patentable utility. Further, dependent claims 3-4 have patentable utility for at least the same reasons as amended independent claim 1. Withdrawal of this rejection is respectfully requested.

Claims 9, 12, and 13 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claim 9 has been amended to clarify that the computer

program is located on an electronic assembly and that the electronic assemble will execute the steps of the method according to claim 1 when the program is executed by the electronic assembly. Accordingly, amended independent claim 9 is directed to an electronic assembly which is not software *per se*. Thus, amended independent claim 9 is directed to statutory subject matter. Dependent claims 12 and 13 are directed to statutory subject matter for at least the same reasons as amended independent claim 9. Withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-3, 5-7, 9-10 and 12 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,154,819 (“Larsen”). Claim 2 has been cancelled by this reply and, thus, this rejection is moot with respect to cancel claim 2. To the extent that this rejection applies to the amended claims, the rejection is respectfully traversed.

Amended independent claim 1 requires, in part, that two determinations are made prior to granting permission for the owner to write the data to the partition. Specifically, a first determination is made about whether an owner of the data to be written has write access to the partition of the sector, and a second determination is made about whether the owner has permission to erase the entire sector in which the partition is located using a rule, wherein the rule verifies that the write request does not delete data of an owner other than the owner issuing the write request.

Turning to the rejection, “[a] claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987) (emphasis added). Further, “[t]he identical invention must be shown in as complete detail as is contained in

the claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Applicants asserts that Larsen fails to disclose all the limitations of the pending independent claims.

Larsen is directed to a system in which a block lock controller determines whether to allow a write or erase operation to occur based solely on whether the block is locked or unlocked. *See* Larson, col. 11, ll. 23-42. However, in Larson the determination of whether to lock or unlock is not based on either of the determinations recited in amended independent claim 1. In fact, Larson does not even contemplate determining whether the owner of the data to be written has sufficient access privileges to write the data. Moreover, Larson does not disclose make a first determination on a partition basis and a second determination on a sector basis, where the partition is located within the sector.

In view of the above, amended independent claim 1 is patentable over Larson. Independent claims 1, 5, and 9 include limitations similar to amended independent claim 1 and, thus, are patentable over Larson for at least the same reasons as amended independent claim 1. Dependent claims are patentable over Larson for at least the same reasons as the aforementioned independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

MPEP § 2143 states that “[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit.” Further, when combining prior art elements, the Examiner “must articulate the following: (1) a finding that the prior art included each element claimed, although not necessarily in

a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference....” MPEP § 2143(A).

Claims 4, 11, and 13

Claims 4, 11, and 13 stand rejected under 35 U.S.C. § 103 as being unpatentable over Larson in view of U.S. Patent No. 6,401,160 (“See”). This rejection is respectfully traversed.

Claims 4, 11, and 13 depend from amended independent claims 1, 5, and 9. As discussed above, Larson fails to teach or suggest all the limitations of amended independent claims 1, 5, and 9. Further, See does not teach that which Larson lacks. Specifically, See is directed to tracking status information on a per-block basis. *See* See, Figure 3. However, like Larson, See does not teach or suggest making two determinations in order to write data to a partition. In fact, Larson does not even contemplate determining whether the owner of the data to be written has sufficient access privileges to write the data. Moreover, Larson does not disclose making a first determination on a partition basis and a second determination on a sector basis, where the partition is located within the sector.

In view of the above, Larson and See, whether considered separately or in combination, fail to teach or suggest all the limitations of amended independent claims 1, 5, and 9. Thus, claims 1, 5, and 9 are patentable over the Larson and See. Dependent claims 4, 11, and 13 are patentable over Larson and See for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 8

Claim 8 stands rejected under 35 U.S.C. § 103 as being unpatentable over Larson in view of U.S. Patent No. 7,177,975 (“Toombs”). This rejection is respectfully traversed.

Claim 8 include similar patentable limitations as amended independent claim 5. As discussed above, Larson fails to teach or suggest all the limitations of amended independent claim 5. Further, Toombs does not teach that which Larson lacks. This is evidenced by the fact the Toombs is only relied upon to teach a card. *See* Office Action mailed December 14, 2007, p. 8.

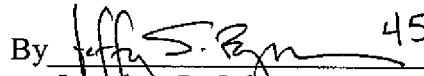
In view of the above, Larson and Toombs, whether considered separately or in combination, fail to teach or suggest all the limitations of amended independent claim 8. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/086001).

Dated: March 14, 2008

Respectfully submitted,

By  45,925
Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicants

Attachment (Replacement Sheet-Figure 3)